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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,744	03/31/2001	Tomoo Kosugi	1014-016	5963

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EXAMINER

LEON, EDWIN A

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/823,744

Applicant(s)

KOSUGI ET AL.

Examiner

Edwin A. León

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 11-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed April 28, 2003 in which the Specification and Claims 1, 6-7, and 16-20 have been amended, has been placed of record in the file as Paper No. 6.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Browning et al. (U.S. Patent No. 6,409,564) in view of Jeng et al. (U.S. Patent No. 5,772,485). With regard to Claim 1, Browning et al. discloses a method for manufacturing a flat panel display comprising the steps of: providing a baseplate (11) and a faceplate (16); desorption processing the faceplate (16) in a vacuum (Column 3, Lines 43-49); merging the baseplate (11) and the faceplate (16); and sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and the faceplate (16). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

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However, Browning et al. doesn't show the step of merging the baseplate and the faceplate while still in the vacuum.

Jeng et al. discloses a display panel using the step of merging a baseplate (12) and a faceplate (10) while still in a vacuum. See Fig. 1 and Column 6, Lines 22-34.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the method of Browning et al. by including the step of merging the baseplate and the faceplate while still in the vacuum as taught in Jeng et al. in order to prevent dust or impurities from getting into the clean face plate.

With regard to Claim 2, the combination of Browning et al. and Jeng et al. discloses the claimed invention except the use of a vacuum from 10<sup>-7</sup> to 10<sup>-8</sup> torr.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a vacuum from 10<sup>-7</sup> to 10<sup>-8</sup> torr, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617, F. 2d 272, 205 USPQ 215 (CCPA 1980).

With regard to Claim 3, Browning et al. discloses the step of desorption processing including scrubbing the faceplate (16) before sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and the faceplate (16). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

With regard to Claims 4-5, Browning et al. discloses the scrubbing the faceplate (16) using plasma sputtering, the plasma sputtering using a low atomic weight gas. See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

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With regard to Claims 6-8, and 10, the combination of Browning et al. and Jeng et al. discloses the claimed invention except the plasma sputtering using a faceplate voltage of -10 to -1000 mV, the plasma sputtering using a faceplate voltage of +10 to +1000 mV, the plasma sputtering applying a faceplate voltage for about 1 to 60 minutes, and the pre-aging the faceplate being performed from 120 to 300 minutes.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the plasma sputtering using a faceplate voltage of -10 to -1000 mV, the plasma sputtering using a faceplate voltage of +10 to +1000 mV, the plasma sputtering applying a faceplate voltage for about 1 to 60 minutes, and the pre-aging the faceplate being performed from 120 to 300 minutes, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617, F. 2d 272, 205 USPQ 215 (CCPA 1980).

With regard to Claims 9 and 16-20, Browning et al. disclose a method for manufacturing a flat panel display comprising the steps of: providing a baseplate (11) and a faceplate (16); desorption processing the faceplate (16) in a vacuum (Column 3, Lines 43-49); merging the baseplate (11) and the faceplate (16); and sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and the faceplate (16), the desorption processing including pre-aging the faceplate (16), the pre-aging using irradiation with electrons from an electron gun (13). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

However, Browning et al. doesn't show the step of merging the baseplate and the faceplate while still in the vacuum.

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Jeng et al. discloses a display panel using the step of merging a baseplate (12) and a faceplate (10) while still in a vacuum. See Fig. 1 and Column 6, Lines 22-34.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the method of Browning et al. by including the step of merging the baseplate and the faceplate while still in the vacuum as taught in Jeng et al. in order to prevent dust or impurities from getting into the clean face plate.

### ***Allowable Subject Matter***

4. Claims 14-15 are allowed.

5. Claims 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The references fail to teach, disclose, or suggest, either alone or in combination, the step of desorption processing including a step of pre-aging before merge of the base plate and the face plate in combination with the rest of the limitations in the claims and base claims.

### ***Response to Arguments***

6. Applicant's arguments filed April 28, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claims 1 and 16-20

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that the Browning reference doesn't show the step of merging the baseplate and the faceplate while still in the vacuum, Applicant is reminded that this limitation was newly added to the claims. Still, it is the Examiner's opinion that one with ordinary skill in the art would modify the method of Browning et al. by including the step of merging the baseplate and the faceplate while still in the vacuum as taught in Jeng et al. in order to prevent dust or impurities from getting into the clean face plate.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Edwin A. León  
AU 2833



**THO D. TA**  
**PRIMARY EXAMINER**

EAL  
July 6, 2003